IN THE HIGH COURT OF JUDICATURE AT BOMBAY

A.S.

Writ Petition No.8080 of 2005

P M Khankar ....Petitioner

vs

Ahmednagar Sah Bank Ltd and ors...Respondents

Mr G.N.Salunke for petitioner

Mr.S.K.Lanke for respondent no.l

CORAM: S.U.KAMDAR J.

Dated 30.ll.2005

P.C:

l The Coop Appellate court in its impugned order and judgment dated 6.l0.2005 has decided the issue of jurisdiction under section 9l of the Maharashtra Coop Societies Act l960. The only grievance raised by the petitioner is that while determining the issue of jurisdiction against the petitioner, another co-related issue of limitation which is also arises in the present case has not been determined by the Coop Appellate Court. In that light of the matter and with the consent of the parties the matter is remitted back to the Coop Appellate Court with direction to determine the issue of limitation considering the provisions of sections 9l and 92 of the MCS Act and all other relevant law as may be permissible in law. The Coop Appellate Court will decide the said issue on or before 28.2.2006. It is clarified that the

impugned order in so far as the jurisdiction aspect is concerned, is upheld.

. Petition is disposed of accordingly with no order as to costs.